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ABSTRACT

Introductory teaching units for secondary students on the history of the Canadian labor movement and labor law are presented in this report. Five units are outlined, addressing the following questions: (1) How do students perceive organized labor, its position in today's society, and its historical development?; (2) What knowledge do students have of unions and their historical roots?; (3) What social and economic conditions affected the development of the labor movement?; (4) What are some of the major events in Canadian and British Columbia labor history?; and (5) What are the issues that face labor today, and how do these concerns fit into a broader view of society? At the end of each unit is a short list of recommended books with a brief critique. Appendixes include a glossary of terms commonly used in the labor movement, a question-and-answer section concerning the term "right to work," short descriptions of "anti-union" Canadian legislation, and descriptions of Canadian legislation concerning hours and wages and health and safety. (CT)

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LABOUR MOVEMENT AND LABOUR LAW - development of two introductory units for secondary students

John Jensen, Labour Advisory Committee

Educational Research Institute of British Columbia

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CANADIAN LABOUR HISTORY

Teaching units for a course on
the history of the Trade Union
Movement in Canada

Prepared by the Labour Advisory Committee
P.O. Box 207
Terrace B.C.

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possible by a grant from the
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British Columbia

CANADIAN LABOUR HISTORY - A SHORT INTRODUCTION

" We must all hang together, or most assuredly we shall all hang seperately."

Ben Franklin

It is perhaps unusual that a proposal for Labour Education in Canadian High Schools is prefaced by a quote from an American patriot. Yet, it is this quote that truly epitomises the fudamental tenent of Trade Unionism.... Individually, the working people are at the mercy of those who own and control....Collectively, there is strength and dignity.

We trust that this outline will be understood and used with this truth in mind. The design of these units requires that the teacher read extensively, and that the teacher contact the Labour people in the Community. We make no apologies for demanding this onerous research. The History of Labour is, in fact, an alternate history of the Country itself. To teach Labour History requires that the Teacher re-learn history.

Canada, we must remember, is not mines, mills, factories and railroads. It is people that are the country....the reason and purpose for the dynamics of its history. The discipline of history requires that this not only be recognised, but placed in the forefront. Further, any honest interpretation of history must recognise the unpopular and rather ugly aspects of the Country's developement, such as racism, exploitation and violence. Aspects that led to the Socialist ideals within the Labour Movement, and the contributions of the Communist Parties in Canada to the Movement.

The following outline is incomplete, partly because it requires a complete "re-interpretation" of history, but mostly because the complete history of the working people of Canada has not yet been accomplished. Please excuse our inadequacies. It can only be hoped that the future will correct our problems in an honest fashion, and that the whole structure of teaching will reflect our true nature.

INTRODUCTION

The study of the Labour Movement in Canada has been sadly neglected in our school system. This is a cause of great concern to Labour, not only in British Columbia, but everywhere in Canada. The eight units presented in this paper are partially designed to correct this inadequacy, from the viewpoint of active Trade Unionists.

As explained, the approach is not intended to be comprehensive, but rather Introductory. Its' developement has been drawn from three basic sources.....the experience of teaching in British Columbia

High Schools; the self-perception of active Unionists; and the recommended programme of the Ontario Federation of Labour.

Organised Labour in today's world is subject to a great deal of mis-informed critisizm. Myths have developed, encouraged by both Business and Government, that portray the Union Movement as an evil ogre, a destructive force. If students, our future members are to properly evaluate the principles and positions of Labour, these myths must be shattered and replaced by hard facts.

Similarly, it must be recognised that there exists a wide variance of opinions and interpetation within the Labour Movement. While we do not intend to hide these differences or downplay their importance, we feel that it is the responsibility of the teacher to investigate and prepare according to his own perceptions.

The following five units are designed to address the following questions:

1. How do students perceive Organised Labour, its position in today's society, and its historical development.?

2. What knowledge do students have of Unions and their historical roots ?

3. What social and economic conditions affected the development of the Labour Movement?

4. What are some of the major events in Canadian and B,C. Labour history ?

5. What are the issues that face Labour today and how do these concerns fit into a broader view of society ?

At the end of each unit is a short list of recommended books with a brief critique. These lists are by no means definitive, however we trust that they will form the basis of understanding of the diverse literature available on Labour History. Any bias in their choice, which will inevitably exist, is strictly that of the author and does not reflect the thoughts of any specific Labour body.

It is our hope that these outlines serve to stimulate the interest of not only the students but also that of the teacher. Developmental education is highly dependent on the teacher and any comments or suggestions would be most welcomed.

UNIT ONE

THE STUDENTS' PERCEPTION AND THE LANGUAGE OF LABOUR

The primary task in the introduction of Labour as a subject, is to determine the students' knowledge of the topic as well as, their attitude towards it. We emphasize attitude for our experience has been that wide variations exist. As one might expect students from working class homes in heavily unionized areas are more likely to have not only a rudimentary knowledge, but also a more positive attitude.

We recommend that this initial introduction be accomplished by a short verbal test, divided into two sections:

1. Identify the following historical and contemporary figures:

a. Joe Hill
Ginger Goodwin
Earnest Winch
Dave MacIntyre
Dennis McDermott
A local Labour leader

b. Donald Smith
J. D. Rockefeller.
WAC Bennett
J. V. Clyne
A local businessman

In most cases, it may be assumed that the names in list b. are more readily identified than those in column a. At this point, it may prove valuable to explore the reasons that the names of Labour people are less well known than the others.

2. Explain the significance of the following events or movements:

a. The Eight-hour Day Movement
The Winnipeg General Strike
The Introduction of the Canada Pension Plan
The Day of Protest (Oct.14/76)

b. The Completion of the CPR
The Hudson Bay Co. Charter
The Anti-inflation Board
The Oil Crisis

Once again, list b. events likely will have a higher recognition factor than a. A discussion of the various events will likely re-inforce an understanding of attitudes and prejudices. It should provide a solid basis on which to proceed.

In order to understand Labour or its history, the student must be made familiar with its structure and terminology. Any discussion of basic, contemporary structures should include:

1. The Local Union
2. The Local Labour Council
3. The B.C. Federation of Labour
4. The Canadian Labour Congress
5. The Confederation of Canadian Unions

This will be reviewed at a later time.

Students must also be made familiar with the 'Language of Labour '. We recommend a review of terminology based upon the broadsheets prepared by the Labour Advisory Committee of Northwestern B.C. (see attached) However, the general circular of the Canadian Labour Congress is a good substitute. Both are essentially the same with one significant difference; the LAC has grouped terms into functional units, whereas the CLC's is alphabetical.

We dot believe that this section warrants a bibliography. Should the Teacher require assistance with any of the material, a call to either the Local Labour Council or the B.C. Federation of Labour should suffice.

UNIT TWO

THE ROOTS OF THE LABOUR MOVEMENT

The Canadian Labour movement has its roots deep in the European and, to some extent, the American experience. In order to understand Labour in industrialised countries, one must trace the early development of Craft organisations and describe the Industrial Revolution and the beginnings of Capitalism.

Fraternal or benevolent associations, based upon craft, date far back in European history. Discussion of these and their difference with modern industrial unions will provide a solid background for future discussions and also allow a smooth transition to discussion of the Industrial Revolution.

It is imperative that students understand the Industrial Revolution and its impact on both social and working conditions. This is probably best handled in a descriptive manner, through lecture. It should include discussion of the concept of Adult Self-education, the formation of socialist political groups, and the differences between Fabian and Scientific Socialism.

The objective is to display Unions as the product of conditions and as a grass-roots response to these conditions. The close associated development of socialist doctrines and Labour is also of prime importance.

The Canadian Experience

Labour history cannot be taught in isolation from social, economic and political realities. A teacher who is preparing lessons must be continually cognizant of this fact.

We suggest that the early history rely upon three significant events interwoven into an explanation of the development of Canadian Capitalism.

Most students should be aware of New France, its development as an agricultural community and an outlet for resource extraction (the fur trade). A brief historical sketch ofthis pre-industrial society, stressing the interrelationship of farmers - Landlords and the Church is helpful. The change in the relationship of Voyageurs from essentially 'independent' adventurers to employees of large trading concerns is also necessary and must be developed.

Emphasis on the Voyageurs will provide, within the Canadian context, an introduction to the change that Capitalism brings to the relationship of people to their working experience. The following questions may be put and answered:

1. Did this change the Voyageurs perception of themselves and their relationship to their work?

2. Did this change lead to better or worsening conditions?

3. Did these conditions lead to any'industial' action?

To question 3. the answer is 'yes'. Jack Scott in 'Sweat and Struggle' describes an early strike by these men.

Modern class structure in Canada is the result of the massive economic change that took place in Canada in the 1800's. Industrial development, Confederation, the opening of the western hinterland and urbanisation all played significant roles. Immigration and appalling social conditions heightened tensions. Without detailing the varied responses to these developments, a description of the social and political framework of Ontario will provide a basis for understanding the strike of Typographers in Toronto in 1872.

The details of this event should stress the militancy of the Union, the solidarity and the community support that it enjoyed.

The major significance of this struggle was, however, the political aspect. This should be stressed and left as a seed to return to at a later time.

In order to localise these factors, introduce Labour withthe B.C. context and make this exercise relevant to the B.C. student, we should turn to the strikes on Vancouver Island against the Dunsmuir empire. After a brief description of events, the economic framework requires development. The context is definitely pre-industrial and took place within a primary resource based economy. This is important in order to understand B.C.'s position in Canada's development, as well as the background to B.C.'s militant trade union tradition.

We recognise that this is a vast amount of material to cover in a single lesson. The choice of material is, of course the Teacher's. However, we must stress that we believe that it is imperative that students receive a basic understanding of class, economic development and the necessity of a political response to conditions by working people.

Bibliography

Given the tremendous time period covered by this Unit, it is most difficult to pick sources that are reliable, less than tedious and accurate. We suggest that Teachers avoid, initially 'official' histories and books on specific situations.

Possibly the two best books to introduce a person to the Labour Movement and the Industrial Revolution are ' The History of the Common People' by Cole and Postgate and Engel's Conditions of the Working Class in England'. There are two acceptable surveys of Canadian history: William's 'Unions in Canada' and Lipton's 'The Trade Union Movement in Canada 1827-1959 '. Scott's'Sweat and Struggle' is a useful reference.

UNIT THREE

THE CANADIAN EXPERIENCE (From 1900)

It is, to understate the problem, exceedingly difficult to to take a class of students from the late eighteen hundreds to the present in one lesson. As previously explained, Labour history is in fact another, more accurate approach,to the history of the Country. Constraints demand, however, that key events be isolated and a description put forward.

Without a doubt, the most important event of the early part of this century was the Winnipeg Strike of 1919. In order to clearly put this into context, one must recognise the economic and political context in which this Strike took place, Included in this scenario must be the the Great War and the events in the Soviet Union. Further the growth of the 'One Big Union' and the the difference between Labour in Western and Central Canada must be explored. Reference to the reactions of Labour in centres such as Vancouver, Toronto and Port Arthur would broaden the students' understanding.

To make this exercise worthwhile, a detailed description is imperative. Further, one should trace the results in terms of the political responce, the fate of the leadership and the political debate that resulted.

As a history of Canada and working people, we cannot ignore the Great Depression of the thirties. Although the Labour Movement suffered from drops in membership, militancy was evident. The struggle against wage cuts and for job security were classical. Reference to the strikes in the Toronto Garment Industry in 1931 allow for the Teacher to make certain necessary conclusions.

To this point in our outline, we have essentially ignored the role of women both in the workplace and in the Labour Movement. Further working women are a most important part of the labour force both during the Depression and during the War years (1939 - 1945). In order to present this , it appears necessary to use ' Women at Work; Ontario 1850-1930. ' This book, published by Women's Press in Toronto, (Ed. Acton, Goldsmith and Shepard) is the only readily available text on this matter. One warning: It is perhaps too feminist oriented and the conclusions are coloured by this analysis.

The roles played by the State, employers and the Police are well-illustrated by the events that took place in 1931 in Estevan, Saskatchewan. Any course on Labour must provide for discussion on the collusion of these forces. We suggest that the Teacher use the 1931 Miners' strike to illustrate this fact. The best source is a short essay by S.D. Hanson entitled ' Estevan 1931. This can be found in I. M. Abella's book ' On Strike ' published by James Lewis and Samuel (Toronto, 1974).

Any accurate history must deal with the advent of the Committee for Industrial Organizing into Canada and the role of the Communist Party of Canada in organizing the unskilled and semi- skilled workers in this Country. This is, without a doubt, the most controversial part of Canadian Labour History. We recommend that the Teacher explore books published by those with views and vested interests on both sides of this matter. There are biographies of Communist leaders, such as ' The Forge Glows Red ' (Tom McEwen) and ' Yours in Struggle ' (Tim Buck) that provide an important perspective. Two books by Morden Lazarus, ' The Long and Winding Road ' and ' Years of Hard Labour ', provide the 'official', anti-communist view of events.

We suggest that all of these sources be used, but that none be relied upon. The most accurate, although still deficient, history, ' Nationalism, Communism, and Canadian Labour ' by I. M. Abella is perhaps the most authoratative, and accurate source. The Teacher must make his own conclusions on this period. We can only hope that an academically sound

and unbiased account will soon be forth-coming.

Modern History is always the most difficult to systematically categorise. Anyone who is active in the Labour Movement will automatically be labelled, dependent upon the perspective that is recommended.

Perhaps this acknowledgement, more than any other analysis, indicates that Canadian Labour is not a monolithic Movement. Certainly, students should be introduced to such events as the founding of the Canadian Labour Congress and the rise of public service unions. Once again, we recommend that Jack William's ' Unions in Canada ' be used. The rise of the Confederation of Canadian Unions must also be acknowledge.

Perhaps this Unit should be concluded by discussion of the efforts of the Service, Office and Retail Workers Union of Canada (SORWUC), and its success in beginning the process of organizing Bank workers. If nothing else, the students must be made to understand that the final chapter has not yet been written.

Bibliography

Aside from the books specifically recommened in the body of this outline, we recommend that the Teacher explore a number of sources. To understand the events of 1919 in Winnipeg, Norman Penner's ' Winnipeg 1919 ' is by far, the best book. An illustrated History of Canadian Labour ' by E.E. Seymour is a welcome addition. ' Canadian Labour in Politics ', G. Horowitz's study deserves a reading. ' Radical Politics and Canadian Labour (Martin Robin) is important background, not only for this Unit but also for a B.C. perspective.

UNIT FOUR

The Labour Movement in British Columbia

Organised Labour in British Columbia has, deservedly, a reputation for being the the strongest, most militant movement in North America. It is also the most political, and enjoys a place of honour in the struggle for progressive laws and socialism.

Prior to this unit, the Labour Movement in B.C. has been introduced through the fight against the Dunsmuir empire in Unit Two. We suggest that this be reviewed as an introduction to Class politics and industrial relations in this Province.

In British Columbia, one must begin by discussing the organising in the Mines, through the Western Federation of Miners, the Industrial Workers of the World, the United Mineworkers and the Canadian Mineworkers Union. A brief discussion of Syndicalism is in order.

The two other major B.C. industries, the woods and Fish, should then be introduced. We strongly suggest that the slide-tape production by B.C. Overtime, ' These Were the Reasons ' be used. Both the International Woodworkers of America and the United Fishermen and Allied Workers have easily read histories, which are important contributions to B.C.'s history. Depending upon the part of the Province that this course is offered, one of these two industries can be stressed.

Fitting events into the political structure is the most difficult task of a Teacher. B.C. possesses not only the most militant tradition, but also most political Labour Movement in Canada. We suggest, in addition to the aforementioned books, that the Teacher read ' The Compassionate Rebel ' , a biography of Ernest Winch. This book, by Dorothy Steeves, is published by J.J. Douglas of Vancouver.

If one wishes to depend upon a single source for this unit, it must be ' No Power Greater ' by Paul Phillips. This history, commissioned by the B.C. Federation of Labour is an excellent survey of B.C. Labour history. Further references are available from the Labour Advisory Committee.

UNIT FIVE

Contemporary Issues and Canadian Labour

At the time of this writing, Unemployment, the so-called ' Right to Work ' movement and Canadian Autonomy are perhaps the foremost Labour questions. Also, the attack by both senior levels of Government upon the Labour Movement are tremendous problems.

This could possibly change overnight. We have enclosed some material in the appendices that deals with certain problems. We strongly suggest that the Teacher also look into the issue of Tri- partism. Although some elements of Labour support this concept, the vast majority are adamantly opposed. We do not expect that this issue will die in the forseeable future. One caution : In British Columbia, this concept is only supported by certain right-wing elements and officials of the Canadian Labour Congress. We strongly urge any Teacher to contact all Labour elements, including the B.C. Federation, before an attempt to present it as an issue.

UNITS SIX AND SEVEN

Labour Law in B.C.

In British Columbia there are a plethora of Acts to protect the employee against excess in the workplace. Rather than attempt to introduce each and every piece of legislation to the student, we feel that it is most productive concentrate own's efforts on those most likely to affect part-time or summer staff.

In the appendices, the Teacher will find a three page handout entitled ' Legislation affecting Workers '. This is a brief summary of the most important Acts, The Teacher will note that we continually advise that before any complaint is made that the person call the appropriate Government official and check his or her grounds.

Introducing students to their legal rights in the workplace should be self-explanatory. We strongly recommend, however that the Teacher read the book Employer/Employee Rights in British Columbia by J. E. Dorsey (International Self-Counsel Press). This is an excellent reference.

We have intentionally designated ' Labour Law ' as two units. While laws exist to protect all workers, only a Union shop will truly protect the rights of the employee. The second unit must be devoted to the B.C. Labour Code and Collective Bargaining.

The introduction to this Unit should explain that the B.C. code does not cover certain workers, such as those employed by the Federal Government or in federally chartered industries. Further, students should understand that no Act can be superceded by a Collective Agreement.

The function and powers of the Labour Relations Board must be explained. The use of case histories from the immediate section of the Province are perhaps the best way to illustrate how this works. A simple call to either the Local Labour Council or the Federation should provide ample material.

CONCLUSION

It is our sincere hope that this guide will prove to be useful to the Teaching profession. We are very cognizant that use of this outline requires the Teacher to do a great deal of independent reading and research. As previously explained, this is a necessary procedure.

We trust that the books that are recommended are popular and common enough to be readily available.

We encourage anyone who makes use of this outline, to do so in conjunction with their Local Labour Council, the Federation or,if one exists, the Labour Studies Programme at the Local Community College.

While we are pleased to present this programme, it is our continuing belief that the study of Labour should not be merely an appendage to Canadian History. We look forward to the day when the teaching of history recognizes that the Labour Movement is central to our past and not a passing diversion.

Should anyone have questions or need clarification of any part of this document, please feel free to write to the Labour Advisory Committee. In the Northwest, we would be pleased to present this programme to any class, in its entirety.

LABOUR ADVISORY COMMITTEE

PRINCE RUPERT LABOUR COUNCIL CLC | PACIFIC NORTHWEST LABOUR COUNCIL CCU | KITIMAT-TERRACE AND DISTRICT LABOUR COUNCIL CLC

P.O. BOX 207 TERRACE, B.C.

Terms commonly used in the Labour Movement.

1. What is the Labour Movement?

TRADE UNION-Workers organized into a voluntary association, or union, to further their mutual interests with respect to wages, hours, working conditions and other matters of interest to the workers.

LOCAL UNION-Also known as lodge, or branch. The basic unit of union organization. Trade unions are usually divided into a number of locals for the purposes of local administration. These locals have their own constitutions and elect their own officers; they are usually responsible for the negotiation and day-to-day administration of the collective agreements covering their members.

LABOUR COUNCIL-Organization composed of locals of CLC-affiliated unions in a given community or district.

CRAFT UNION-Also called horizontal union. A trade union which organizes on the principle of limiting membership to some specific craft or skill, i.e., electricians, plumbers, etc. In practice many traditional craft unions now also enroll members outside the craft field, thereby resembling industrial unions.

INDUSTRIAL UNION-also called Vertical union. A trade union which organizes on the principle of including all workers from one industry, regardless of their craft or whether they are skilled or unskilled.

BLUE COLLAR WORKERS-Production and maintenance workers as contrasted to office and professional personnel.

WHITE COLLAR WORKERS-Term applied to workers in offices and other non-production phases of industry.

2. Terms applied to Organizing a Union.

CERTIFICATION-Official designation by a labour relations board or similar government agency of a union as sole and exclusive bargaining agent, following proof of majority support among employees in a bargaining unit.

BARGAINING AGENT-Union designated by a labour relations board or similar government agency as the exclusive representative of all employees in a bargaining unit for the purpose of collective bargaining.

BARGAINING UNIT-Group of workers in a craft, department, plant, firm, industry or occupation, determined by a labour relations board or similar body as appropriate for representation by a union for purposes of collective bargaining.

LABOUR RELATIONS BOARD-A board established under provincial or federal labour relations legislation to administer labour law, including certification of trade unions as bargaining agents, investigation of unfair labour practices and other functions prescribed under the legislation.

COMPANY UNION-A one-company group of employees, frequently organized or inspired by management and usually dominated by the employer.

3. What is a Collective Agreement? What is often found in an Agreement?

COLLECTIVE AGREEMENT-A contract (agreement and contract are used interchangeably) between one or more unions acting as bargaining agent, and one or more employers, covering wages, hours, working conditions, fringe benefits, rights of workers and union, and procedures to be followed in settling disputes and grievances.

CHECKOFF-A clause in a collective agreement authorizing an employer to deduct union dues and, sometimes, other assessments, and transmit these funds to the union. There are four main types; the first three apply to union members only: (1) Voluntary revocable; (2) Voluntary irrevocable; (3) Compulsory; (4) Rand Formula - dues deducted from union and non-union employees.

CLOSED SHOP-A provision in a collective agreement whereby all employees in a bargaining unit must be union members in good standing before being hired, and new employees hired through the union.

COST-OF-LIVING ALLOWANCE-Periodic pay increase based on changes in the Consumer Price Index, sometimes with a stated top limit.

FRINGE BENEFITS-Non-wage benefits, such as paid vacations, pensions, health and welfare provisions, life insurance, etc., the cost of which is borne in whole or in part by the employer.

JOB SECURITY-A provision in a collective agreement protection a worker's job, as in the introduction of new methods or machines.

RAND FORMULA-Also called Agency shop. A union security clause in a collective agreement stating that the employer agrees to deduct an amount equal to the union dues from all members of the bargaining unit, whether or not they are members of the union, for the duration of the collective agreement.

SENIORITY-Term used to designate an employee's status relative to other employees, as in determining order of layoff, promotion, recall, transfer, vacations, etc. Depending on the provisions of the collective agreement, seniority can be based on length of service alone or on additional factors such as ability or union duties.

TECHNOLOGICAL CHANGE-Technical progress in industrial methods such as the introduction of labour-saving machinery or new production techniques. These often result in manpower reductions.

UNION SHOP-A place of work where every worker covered by the collective agreement must become and remain a member of the union. New workers need not be union members to be hired, but must join after a certain number of days.

CONTRACTING OUT-Practice of employer having work performed by an outside contractor and not by regular employees in the unit. Not to be confused with subcontracting, which is the practice of a contractor delegating part of his work to a subcontractor.

UNION SECURITY-Provisions in collective agreements designed to protect the institutional life of the union.

WORKING CONDITIONS-Conditions pertaining to the workers' job environment, such as hours of work, safety, paid holidays and vacations, rest period, free clothing or uniforms, possibilities of advancement, etc. Many of these are included in the collective agreement and subject to collective bargaining.

4. The Bargaining Process

COLLECTIVE BARGAINING-Method of determining wages, hours and other conditions of employment through direct negotiations between the union and employer. Normally the result of collective bargaining is a written contract which covers all employees in the bargaining unit, both union members and non-members.

CONTRACT PROPOSALS-Proposed changes to the collective agreement put forward by the union or the employer and subject to collective bargaining.

CONCILIATION and MEDIATION-A process which attempts to resolve labour disputes by compromise or voluntary agreement. By contrast with arbitration the mediator, conciliator or conciliation board does not bring in a binding award and the parties are free to accept or to reject its recommendation. The conciliator is often a government official while the mediator is usually a private individual appointed as a last resort, sometimes even after the start of a strike.

SLOWDOWN-A deliberate lessening of work effort without an actual strike, in order to force concessions from the employer. A variation of this is called a work-to-rule strike - a concerted slowdown in which workers, tongue in cheek, simply obey all laws and rules applying to their work.

LOCKOUT-A phase of a labour dispute in which management refuses work to employees or closes its establishment in order to force a settlement on its terms.

STRIKE-A cessation of work or a refusal to work or to continue work by employees in combination or in accordance with a common understanding for the purpose of compelling an employer to agree to terms or conditions of employment. Usually the last stage of collective bargaining when all other means have failed. Except in special cases strikes are legal when a collective agreement is not in force. A Rotating or Hit-and-run strike is a strike organized in such a way that only part of the employees stop work at any given time, each group taking its turn. A Sympathy strike is a strike by workers not directly involved in a labour dispute - an attempt to show labour solidarity and bring pressure on an employer in a labour dispute. A Wildcat strike is a strike violating the collective agreement and not authorized by the union.

PICKETING-Patrolling near employer's place of business by union members - pickets - to publicize the existence of a labour dispute, persuade workers to join a strike or join the union, discouraging customers from buying or using employer's goods or service, etc.

INJUNCTION-A court order restraining an employer or union from committing or engaging in certain acts. An ex parte injunctions is one in which the application for an injunction is made in the absence of the party affected.

SCABS OR STRIKEBREAKER-A person who continues to work or who accepts employment to replace workers who are on strike. By filling their jobs, he may weaken or break the strike.

5. Other Union terms heard on the job.

JOB OR SHOP STEWARD-A union official who represents a specific group of members and the union in union duties, grievance matters, and other employment conditions. Stewards are usually part of the work force they represent.

BUS INESS REPRESENTATIVE OR AGENT- A Union official, Usually full-time, who represents Union members on matters of arbitration, collective bargaining, etc.

Grievance - Complaint against management by one or more emploees,or a Union, concerning a breach of the Collective Agreement.

ARBITRATION - A method of settling disputes through the intervention of a third party. This is most often used to settle major grievances and contract interpetation disputes. Compulsary arbitration is that imposed by law.

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B.C. Federation of Labour

What does "Right to Work" Really Mean?

The right to collective bargaining and the freedom of working people to form trade unions has been recognized and guaranteed by law in every province in Canada. These rights have been won over the years through the hard struggles of many ordinary Canadians and have resulted in our nation having one of the highest standards of living in the world. Yet right now, in British Columbia, a carefully-orchestrated campaign is being conducted by some employers to weaken the trade union movement, destroy collective bargaining, and lower the province's overall standard of living. Naturally the people organizing this anti-worker campaign have not owned up to their real goals. In fact, it's a tribute to the good sense of British Columbians that they find it necessary to hide their true purpose. But the campaign is underway - and it is using the deceptive and insidious slogan "Right to Work".

The purpose of this pamphlet is to expose the big lie behind the fanciful slogan of "Right to Work", to present its true nature and intent, and to explain in a straight-forward fashion why the trade union movement opposes this proposal.

Question: What does the term "Right to Work" really mean?

Answer: The term is deceptive because it implies the right of every worker to a job. However, 'Right to Work" laws have nothing to do with guaranteeing each worker employment. Instead, their purpose is to prohibit employers and their employees from agreeing to a "union shop" clause in their collective agreements. Briefly, union shop clauses require that all workers hired by the employer must join the union within a specified period of time. So-called "Right to Work" laws prohibit union shop agreements and would be more accurately called "Anti-Union Shop" laws.

Question: "Right to Workers" say it is unfair and undemocratic to compel someone to belong to a union. Is that true?

Answer: No, it is not true. The first point to remember is that a union only comes about in the first place if a clear majority of employees democratically indicate that they wish to be represented by a union. It then follows, by law, that the union must fully and equally represent every worker, including those who may have opposed the union. Now, while this concept of majority rule does mean that some workers who oppose the union must accept union representation if the union wins a representation vote, it also means that workers who may desire union representation might have it denied to them if the union loses the representation vote. So the principle of majority rule is applied equally to union supporters and opponents alike. Whichever side wins, the other side must accept the views of the majority. In both cases, if a person disagrees with the majority decision they are always free to seek employment elsewhere.

A second point to consider is that when an employer and a union agree in collective bargaining that a union shop would aid industrial relationships, they are in effect laying down a regulation for the common good of their industrial community. When a worker accepts employment in that plant or operation, she/he is no longer a detached individual; but is instead a member of the community and governed by the rules made by the majority in that community. Again, if a person does not accept the majority view, they are free to seek employment elsewhere.

Question: Then why do people campaign for so-called "Right to Work" laws?

Answer: The motives behind these laws are to weaken the trade union movement and destroy collective bargaining. The reasoning is that weaker unions will be forced to accept lower wage settlements and lesser fringe benefits - and that as a result of this situation company profits will in the short run improve.

Question: How do these laws weaken the trade union movement?

Answer: By forcing union members to work alongside non-union employees who are "freeloading" on the wages and benefits won by the union, "Right to Workers" create a situation where a pool of experienced employees exist who afe prime candidates for crossing picket lines or breaking strikes. Faced with the threat that employer lock-outs might be won or that strikes might be broken by "Right to Workers", a union's bargaining position is substantially eroded. The result is that union members are forced to accept poorer contracts.

In the longer run, employers can adopt policies of only hiring employees who will refuse to join the union, which can result in destroying the union entirely, costing long-time employees their benefits and security they have built up over the years.

"Right to Workers", by refusing to join the union, are getting a free ride on the backs of those who do belong to the union. While "Right to Workers" enjoy the wages and fringe benefits won by the union members and also have union grievance procedures available to them, they pay no union dues. They enjoy all the benefits but share none of the responsibility of funding and supporting the union!

Question: Do these laws exist anywhere at present?

Answer: Anti-union shop laws do not exist in Canada, but they do exist in some American states. On the average, employers in the states with anti-union shop laws pay wages and fringe benefits at levels substantially lower than the U.S. average. In addition, the overall economies and the standards of living in the anti-union shop states are also significantly poorer than those in the non-anti-union shop states. Furthermore, there are examples of workers being forced to take reduced wages and benefits in states where anti-union laws are newly enacted! Corporate profits on the other hand are significantly higher than the U.S. national average in the anti-union shop states.

Question: What would the effect be of introducing anti-union shop laws in British Columbia?

Answer: The results would be two-fold. First, the imposition of anti-union shop laws would create a chaotic and hostile industrial relations climate. The trade union movement has clearly stated that any attempt to impose such laws will be vigorously resisted. Employers hiring anti-union shop employees would find substantial resentment from their union employees. This would probably lead to confrontations, strikes and lock-outs and lower productivity - all of which would be bad for the province's economy and unhealthy for employees and employers alike.

Secondly, the long term effects of anti-union shop laws if successful would be wage settlements and collective agreements that fall behind those in other provinces without such laws. B.C.'s overall standard of living in comparison to the rest of the country would drop!

Question: Who is organizing the campaign for anti-union shop laws in B.C.?

Answer: It is interesting to note that the pressure for such legislation does not ordinarily arise from workers seeking their so-called "Right to Work." Proponents of these measures are uniformly employers' organizations and related groups. In this province the main group calling for anti-union shop laws is the Independent Contractors and Businessmen's Association of British Columbia - a group of extremely right-wing greedy employers whose only aim is cheap labour.

In summary then, so-called "Right To Work" laws are really anti-union shop laws. They do not create new jobs, safeguard existing jobs or guarantee workers a job. They do not attract socially responsible, good wage industry, nor would they improve the province's economic health.

Anti-union shop laws do attack the trade union movement and collective bargaining. They make strike-breaking easier. They would create chaos in industrial relations. They would result in lower wages, poorer working conditions and a lower standard of living for British Columbians in the years ahead. They would hamper the economic growth of the province. They would increase the profits of a few greedy businessmen in the short run, at the expense of everyone else.

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From the EXECUTIVE COUNCIL REPORT
by Joy Langan

Hotel Vancouver

The members of C.B.R.T. & G.W. and other trade unionists who supported the striking Hotel Vancouver workers are to be congratulated for their show of solidarity which resulted in a major victory for the labour movement.

It was a victory for women trade unionists too, to participate in supporting a strike that involved our sisters and brothers in the C.B.R.T. who were faced with an employer from the past century.

Legislation

Bill 68 & 91

Bill 68, the Notre Dame University Act, was designed to destroy the rights of members of the Faculty Association of Notre Dame University to free collective bargaining.

The section of the Bill cancelling certification and successor status for the Faculty Association of Notre Dame University (FANDU) was dropped before third reading in the legislature, however the government neatly took care of them through introduction of an amendment to the Universities Act in the Omnibus Bill 91 which outlaws trade unions for all University faculties.

Bill 65

Bill 65 is a Bill designed to abolish the Vancouver Resources Board and is another piece of legislation that attacked workers' rights. If it had passed unamended, the Bill would have effectively cancelled three collective agreements negotiated in good faith and would have killed three unions without giving V.R.B. employees the right to choose who would represent them. However, on Friday, September 16th Van der Zalm amended the Bill by deleting Sections 65 to 69 that dealt with the Unions.

Bill 82

Bill 82, the Colleges and Provincial Institutes Act is another piece of legislation that rides roughshod over workers in its Labour Relations Section. Instead of the automatic right to free collective bargaining enjoyed by most of us, the Bill would promote a "choice" between forms of arbitration and bargaining. All unions now representing workers at colleges and other provincial institutes will have to undergo special votes on the continuance of their union certification.

Bill 89

Bill 89, Amendments to the Labour Code, is anti-union and anti-women. It is designed to make organizing more difficult. Women comprise the largest group of unorganized workers and this legislation will make it even more difficult to afford them union protection because

-the percentage required to apply for certification is changed from 35% to 45%

-for automatic certification percentage is changed from 50% to 55%

-in voting for certification if 55% of the proposed unit don't cast ballots a second vote can be ordered

-employers are no longer required to provide names and addresses of employees to the union

-the L.R.B. may no longer prohibit the employer from changing wages and conditions

-the employer may now campaign against union organizing

-discretionary powers of the L.R.B. to deal with unfair labour practices not specifically listed is removed.

Other changes include

-expansion of the definition of employee to allow further exclusions from the bargaining unit

-L.R.B. function altered from one of facilitating labour relations to one of directing labour relations.

-gives L.R.B. the right to extend 72 hours strike or lockout notice for an indefinite period of time when perishable goods or property are involved.

These pieces of legislation must be considered the"tip of the iceberg" in the kind of attacks trade unionists must expect from this government. They must all be drastically amended to grant workers their democratic rights before being allowed to pass.

Legislation affecting Workers

This is not intended to be the last word on Labour Law in the Province of British Columbia. It serves only as a guide to the most commonly used Acts.

General

With certain exceptions, Workers in British Columbia are protected by Legislation on matters related to Hours, Wages, Health and Safety. There are numerous other regulations that concern protection against loss of wages, pregnancy, and specific work situations. For our purposes,however, only the first areas will be dealt with at this time.

Hours and Wages

There are five Acts that protect organised and unorganised workers alike. They establish minimum standards that an employer must follow. They also establish procedures that an employee may use should any provisions be contravened. Minimum and maximum penalties are included.

a) Hours of Work Act In general, this limits the hours an employee may work to eight per day and forty-four in any one week. The exceptions to this rule are too numerous to name. It does include most manufaturing, service and industrial enterprise.

Employers are required to post in a conspicuous place,shift schedules and rest periods.

The fine for non-compliance is not less than $10.00 nor more than $500.00 applied to both employee and employer. If the employer fails to post the hours he can be fined from $25.00 to 100.00 per employee.

The Act is extremely flexible and the Board of Industrial Relations is empowered to make exceptions according to circumstances. If a violation may be occurring, check with a Labour Officer.

b) Annual and General Holidays Act Most people in B.C. are entitled to two weeks of holidays each year. With exceptions, this applies to anyone who has worked 225 days in 12 months. Those with less than 225 are entitled to 4% of wages or salary. Payment must be made at least one day before the vacation begins or if less than 225 days, within thirty days of completion of a 12 month period.

The exceptions to the rule include professionals, some salespeople, domestics, management and farmhands.

Upon termination, this four percent must be paid.

There are nine general holidays each year- New Years, Good Friday, May 24, Canada Day, B.C. Day, Labour Day, Thanksgiving, Remembrance, and Christmas. These are paid holidays unless, you have not been employed for thirty days or you haven't worked for at least 15 of the past 30. If you are required to work you must receive your regular pay plus 1½ times that amount or your pay plus a day off.

Again, if you feel shafted call a Labour Officer and explain the circumstances to make sure that no exception applies in your case.

c) Payment of Wages Act This is possibly the Act most often violated by non-Union and small employers. Problems with payment in a non-union outfit should be taken up with a Labour Officer. The Major provisions include;
- Employers must pay employees at least twice a month.
- Wages must be paid no later than eight days after the end of a pay period.
- The employer must pay immediately upon the discharge or layoff of an employee. If an employee quits, payment must be made within six days.
- The employer may make certain deductions authorised by the employee (i.e. Union dues, charitable donations, credit obligations, insurance or medical coverage, etc.)
- In the case of Bankruptcy, the employee is normally entitled to wages before other creditors (Caution: act quickly!)

d) The Minimum Wage Act and The Minimum Wage Order (1972) With various exemptions, this Act establishes the minimum wage for those 18 and over at $3/Hr. and for those 17 and under at $2.60/Hr. It also requires Employers to furnish a statement of wages and deductions at the time of the first payment if hours are standard and another each time that they change.
The Minimum Wage Order is regulations that are an interpetation of the Act. It establishes payment for Overtime (see Hours of Work) at time and one half (1½).
- It guarantees that an employee, will receive at least two hours pay if called out by an employer.(if work is not performed)
- Four hours is guaranteed if work is performed unless work is suspended for reasons beyond the control of the employer. (i.e. bad weather)
(The school student is eligible for two hours minimum but not the four hours)
- No Split-shift can extend beyond a twelve hour period.
- The employer may not deduct from a person's wages any money for breakage or unsatisfactory work.
- A person must have at least a rest period of 32 consecutive hours in any one week period.
- Shift and rest period schedules must be posted.

e) The Deceived Workers Act This Act makes it illegal for an employer to influence a person to change employment by false promises or false advertising. This includes type of work, wages, conditions or presence of a strike.

Health and Safety

There are two major Acts; The Workers' Compensation and the Factory Act.

a) The Workers' Compensation Act

This a very complex Act that does through Standards and Regulations two basic things.
- Establishes safety rules and enforcement procedures for many areas of employment.
- Compensates loss wages cuased by job related injuries.

As the detail is great, it is impossible to even make an attempt to abridge these rules. If a situation appears unsafe or you are hurt on the job, first tell your immediate supervisor and then contact the local WCB office.

b) The Factory Act 1966

This Act is designed to establish basic Working conditions in factories, shops and offices. Generally speaking, it regulateshealth, safety, sanitary and comfort and provides for inspection and enforcement. It entitles employees to:

- clean washroom facilities
- temperature control
- drinking water
- adequate work space
- accomodation for clothing, not worn while at work
- adequate ventilation and exhaust systems
- Lunch areas, away from a manufacturing area
- showers, if infectious , poisonous, irritating substances are present
- seats for female employees, if found more convenient or necessary
-proper installation and maintenance of elevating devices.

A final caution on these notes: They are not definitive and are subject to continual change. They are for quick reference only. Further, there are many other Acts in existence which regulate conditions in certain industries.

A very good further reference is Employer/Employee Rights in British Columbia by J.E. Dorsey published by International Self-Counsel Press. Cost is only $2.95.

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